



The Voting Rights Act (VRA)

by John Patrick Quigley

Shelby County, Alabama v. Holder

In 1965, Congress enacted the Voting Rights Act (42 USCA §§1973 et seq., Floor 3 KF62.5.W45) to address entrenched racial discrimination in voting. Section 4 of the Act defines certain "covered jurisdictions" as "States or political subdivisions that maintained tests or devices as prerequisites to voting" and had low voter registration or turnout in the 1960s or early 1970s (Id., §1973b(b)). Section 5 provides that such jurisdictions must obtain approval by certain federal authorities before any change in voting procedures can take effect. These sections were originally set to expire in five years, but the act has been extensively amended, the last amendment being in 2006, when they were reauthorized for 25 years.

Shelby County, in the covered jurisdiction of Alabama, sued the Attorney General in the D.C. District Court, seeking a declaratory judgment that Sections 4 and 5 are unconstitutional. That Court upheld the Act (811 F.Supp.2d 424, Floor 3, KF105.F452), which was affirmed on appeal (679 F.3d 848, Floor 3 KF105.F43). The Appellate Court was reversed by the Supreme Court (Shelby County, Alabama, Petitioner v. Eric H. Holder, Jr., Attorney General, et al., 133 S.Ct. 2612, Floor 3 KF101.A3S9.)

Coverage Formula Used in Section 4 of the VRA is Unconstitutional

Chief Justice Roberts wrote the majority opinion, in which Justices Scalia, Kennedy, Thomas, and Alito joined. Great emphasis was placed on the "fundamental principle of equal sovereignty" among the states, and that the Act employed "extraordinary" measures on only nine states (and additional counties).

"[C]urrent burdens...must be justified by current needs....a departure from the fundamental principle of equal sovereignty requires a showing that a statute's disparate geographic coverage is sufficiently related to the problem that it tar-

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OCPLL Legal Research Resources on Display

by Elizabeth Harmon

The Third Floor display case holds the most recent selection from the Law Library print resources. The current collection highlights an assortment of useful books that provide people with guidance when conducting legal research. The selection includes general research topics such as:

Legal Research: How to Find & Understand the Law (KF240.E45 2012)

Legal Research Illustrated: an Abridgment of Fundamentals of Legal Research (KF240.B268 2009)

Legal Research Exercises: Following the Bluebook: A Uniform System of Citation (KF240.P48 2013)

The Legal Research Dictionary: From Advance Sheets to Pocket Parts (KF240.F69 2006)

The selection also includes more specific areas of research, which include the following:

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Attention All Orange County Lawyers: OCPLL offers variety of MCLE material

by Patti Walter

Our library offers a wide variety of MCLE credit CDs. The library catalog is available to the public on our website www.ocpll.org, from our website click on catalog, then select Featured Lists. Patrons can select the CDs they are interested in before they come to the library. Or when you come into the library our reference librarians have compiled a binder that catalogs our MCLE credit CDs collection by subject and title. If you join the library by paying a \$100 deposit you may check-out CDs and listen to them anytime you want. Many patrons say they listen to the material while driving in their cars. Library borrowing rules state that library items circulate for three weeks (renewals are not allowed). During the months of December and January the library limits the circulation of MCLE materials to two items at one time. Attorneys are required to complete a total of 25 hours of approved MCLE credit every three years. Visit the California Bar Website mcle.calbar.ca.gov/MCLE.aspx for the complete details pertaining to your MCLE credit requirements. Attorneys who prefer to listen to the CD's in the library may use their laptop. Or if you prefer, CD players are available upon request at the Public Services Desk.

OCPLL is offering this wonderful free service, why not take advantage of it? Seminars are costly and the subject material is presented once and is not repeated for free. Our CDs can be used over and over again for study purposes.



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Voting Rights Act

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gets.” (Id., at 2622). “Coverage today is based on decades-old data and eradicated practices.... [Literacy] tests have been banned nationwide for over 40 years....And voter registration and voter turnout numbers in the covered states have risen dramatically....” (Id., at 2627)

“Our decision in no way affects the permanent, nationwide ban on racial discrimination found in § 2. We issue no holding on § 5 itself, only on the coverage formula. Congress may draft another formula based on current conditions.” (Id., at 2631).

Dissent

Justice Ginsburg wrote the dissent, joined by Justices Breyer, Sotomayor, and Kagan. “The question this case presents is who decides whether, as currently operative, § 5 remains justifiable, this Court or a Congress charged with the obligation to enforce the post-Civil War Amendments ‘by appropriate legislation.’” (Id., at 2632) “Critical components of the congressional design are the statutory provisions allowing jurisdictions to ‘bail out’ of preclearance, and for court-ordered ‘bail-ins.’” (Id., at 2644)

“Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.” (Id., at 2650)



Legal Research

(Continued from page 1)

California Research

- California Legal Research (KFC74.M33 2008)
- California Legal Research Handbook (KFC74.D47 2008)
- Henke’s California Law Guide (KFC74.H45 2006)

International Research

- A Basic Course in Public International Law Research (KZ1234.W56 2005)
- International Legal Research in a Nutshell (KZ1234.H64 2008)

Research and Writing

- Foundations of Legal Research and Writing (KF240.B27)
- Legal Research and Writing (KF240.M87 2006)
- Legal Research and Writing for Paralegals (KF240.B68 2009)

An added note regarding resources for research: One of the many databases on the Law Library’s public computers is *WestlawNext*. Recently, the Orange County Public Law Library held a workshop that gave an overview of the database. Due to the popularity of the event, the Law Library plans to offer a similar workshop again in the spring. The public will be notified on the OCPLL website and through notices posted in the library building. In the meantime a handout, “Getting Started on WestlawNext”, can be found next to the Legal Research Bibliographies, the “EBSCO Legal Information Reference Center” handout, and the SCALL *Locating the Law* handout adjacent to the display case. The handout includes a web address that offers a free user guide and an array of other useful features.

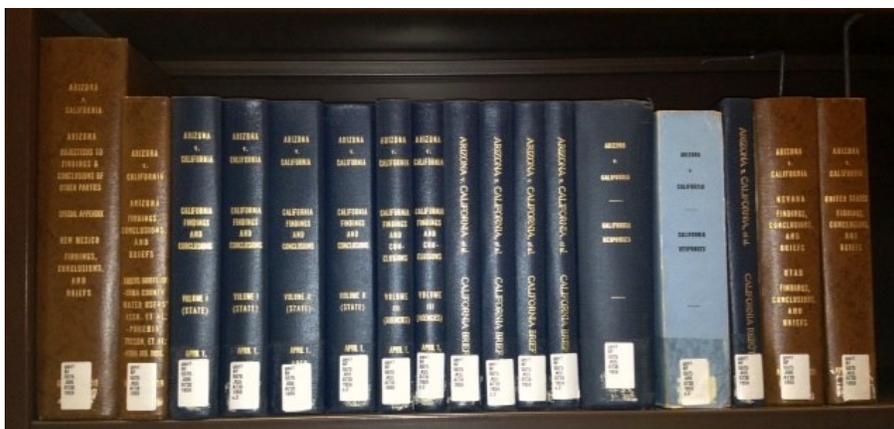


Water Rights: New Digital Archive Available

by Kelsey Chrisley

The William A. Wise Law Library at the University of Colorado Law School newest digital archive, the Arizona v. California Collection contains more than 160 full-text searchable pleadings, briefs, orders, transcripts and reports from the 12 year original proceeding in the U.S. Supreme Court. Access the archive at lawlibrary.colorado.edu/Arizona-v-california-collection

If you prefer to see material the old-fashioned way, ask to see this Library’s print copies of the pleadings, briefs, transcripts, and reports in Arizona v. California, kept on our 1st Floor, KF5575.



Looking at the Web



by Mora Prestinary

Voting Rights: Shelby v. Holder www.documentcloud.org/documents/717250-supreme-courts-voting-rights-act-decision.html

MCLE-Minimum Continuing Legal Education. Refers to the approved continuing legal education required of California attorneys. mcle.calbar.ca.gov/

State Water Resources Control Board.
www.waterboards.ca.gov/waterrights/

The Water Boards' have a number of databases that include Summary Reports and Geographic Information System (GIS) map interfaces. Many also link to more detailed documents and technical reports. www.waterboards.ca.gov/resources/data_databases/

Legal Research:

Free books on the web:

How to Find & Understand the Law This publication is available on the EBSCO Legal Information Reference Center database, which can be accessed via the Library's homepage at the following link:
www.ocpll.org/databases2/ Follow the directions to log in, and search for the title.

Locating the Law: a handbook for non-law librarians by the Southern California Association of Law Libraries
www.aallnet.org/chapter/scall/locating.htm 



How do I write a demand letter to the landlord asking for the return of my security deposit?



The California Courts website has a program that will help you write a demand letter asking your landlord to return a security deposit
www.courts.ca.gov/11150.htm

New resources available through OCPLL's Wifi!

by Scott Enke

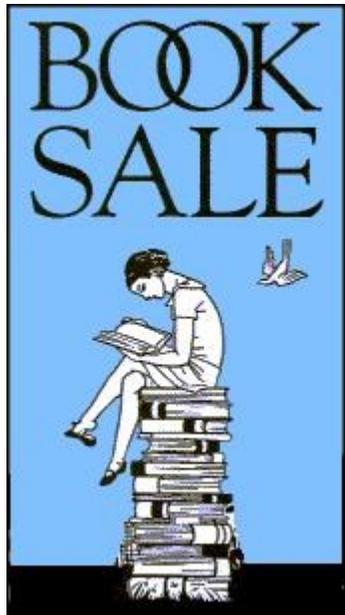
Many of the electronic resources that used to be available only through our wired PCs are now accessible via our Wifi. These include popular subscription databases like **OnLaw** and **HeinOnline**. After logging into the Library's Wifi, the following list of resources is presented:

- California Courts Self-Help Center
- Ebsco
- Findlaw
- HeinOnline.
- i-CAN Legal
- Judicial Council Forms
- Law Help California.org
- LLMC Digital
- NCLC
- OnLaw
- Orange County Public Law Library's website
- Orange County Superior Court Local Forms
- Orange County Public Law Library's Legal Links pages (County of Orange, California, and Federal)

To access any of these through Wifi, log onto the Library's wireless network; once logged in, a page with links for each resource will be displayed. You might want to bookmark or write down this page's URL for future reference. 

by Molly Solazzo

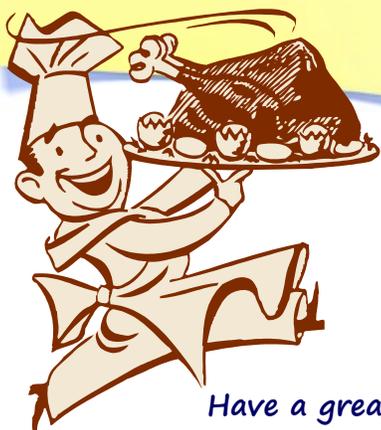
WHAT'S GOING ON



The Library has an on-going sale of items deselected from the collections. Most items are \$5.

Circulation notices via email

The Library is instituting circulation notices via email. If you'd like to receive your notices through email please stop by the Reference desk and ask for the form to update your contact information.



Have a great Halloween & Thanksgiving!



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Orange County Public Law Library

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Friday	8 am - 5 pm
Saturday	9 am - 5 pm

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